

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Tanya yvette Hogan

Write the full name of each plaintiff.

\_\_\_\_ CV \_\_\_\_  
(Include case number if one has been assigned)

-against-

Do you want a jury trial?

DNATA Grand service Keshia Mahabir

☐ Yes ☒ No

Building # 66 JFK Airport

Jamaica NY 11430

Write the full name of each defendant. The names listed above must be identical to those contained in Section I.

EMPLOYMENT DISCRIMINATION COMPLAINT

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

**I. PARTIES****A. Plaintiff Information**

Provide the following information for each plaintiff named in the complaint. Attach additional pages if needed.

Tanya Vrethe Hogan  
 First Name Middle Initial Last Name  
 137 Pilgrim Place, FL#11  
 Street Address  
 Valley Stream NY 11580  
 County, City State Zip Code  
 516 834 3584 English132@gmail.com  
 Telephone Number Email Address (if available)

**B. Defendant Information**

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. (Proper defendants under employment discrimination statutes are usually employers, labor organizations, or employment agencies.) Attach additional pages if needed.

Defendant 1: Keshia Mahabir  
 Name  
 Building 166 JFK Airport  
 Address where defendant may be served  
 Jamaica NY 11438  
 County, City State Zip Code

Defendant 2: Jackson Lewis PC John Porta  
 Name  
 666 3<sup>rd</sup> Ave 29<sup>th</sup> Floor  
 Address where defendant may be served  
 NY NY 10017  
 County, City State Zip Code

Defendant 3:

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 Name

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 Address where defendant may be served

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 County, City

State

Zip Code

**II. PLACE OF EMPLOYMENT**

The address at which I was employed or sought employment by the defendant(s) is:

Name DNATA Ground Services  
 Address Building 84 JFK Airport Cargo area  
Jamaica NY 11430  
 County, City State Zip Code

**III. CAUSE OF ACTION****A. Federal Claims**

This employment discrimination lawsuit is brought under (check only the options below that apply in your case):

- ☐ **Title VII of the Civil Rights Act of 1964**, 42 U.S.C. §§ 2000e to 2000e-17, for employment discrimination on the basis of race, color, religion, sex, or national origin

The defendant discriminated against me because of my (check only those that apply and explain):

- ☐ race: \_\_\_\_\_  
☐ color: \_\_\_\_\_  
☐ religion: \_\_\_\_\_  
☐ sex: \_\_\_\_\_  
☐ national origin: \_\_\_\_\_

- ☐ **42 U.S.C. § 1981**, for intentional employment discrimination on the basis of race

My race is: \_\_\_\_\_

- ☐ **Age Discrimination in Employment Act of 1967**, 29 U.S.C. §§ 621 to 634, for employment discrimination on the basis of age (40 or older)

I was born in the year: \_\_\_\_\_

- ☒ **Rehabilitation Act of 1973**, 29 U.S.C. §§ 701 to 796, for employment discrimination on the basis of a disability by an employer that constitutes a program or activity receiving federal financial assistance

My disability or perceived disability is:

Learning Disability & ADHD

- ☒ **Americans with Disabilities Act of 1990**, 42 U.S.C. §§ 12101 to 12213, for employment discrimination on the basis of a disability

My disability or perceived disability is:

Depressive Disorder

- ☐ **Family and Medical Leave Act of 1993**, 29 U.S.C. §§ 2601 to 2654, for employment discrimination on the basis of leave for qualified medical or family reasons

#### B. Other Claims

In addition to my federal claims listed above, I assert claims under:

- ☐ **New York State Human Rights Law**, N.Y. Exec. Law §§ 290 to 297, for employment discrimination on the basis of age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status
- ☐ **New York City Human Rights Law**, N.Y. City Admin. Code §§ 8-101 to 131, for employment discrimination on the basis of actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, sexual orientation, alienage, citizenship status
- ☐ Other (may include other relevant federal, state, city, or county law):

**IV. STATEMENT OF CLAIM****A. Adverse Employment Action**

The defendant or defendants in this case took the following adverse employment actions against me (check only those that apply):

- ☐ did not hire me
- ☒ terminated my employment
- ☐ did not promote me
- ☒ did not accommodate my disability
- ☐ provided me with terms and conditions of employment different from those of similar employees
- ☐ retaliated against me
- ☐ harassed me or created a hostile work environment
- ☒ other (specify): Made My Depressive Disorder

**B. Facts**

worsened and made me become homeless from  
my previous house I was residing Nov 20, 2019 -  
NOV 30, 2021

State here the facts that support your claim. Attach additional pages if needed. You should explain what actions defendants took (or failed to take) *because of* your protected characteristic, such as your race, disability, age, or religion. Include times and locations, if possible. State whether defendants are continuing to commit these acts against you.

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As additional support for your claim, you may attach any charge of discrimination that you filed with the U.S. Equal Employment Opportunity Commission, the New York State Division of Human Rights, the New York City Commission on Human Rights, or any other government agency.



**V. ADMINISTRATIVE PROCEDURES**

For most claims under the federal employment discrimination statutes, before filing a lawsuit, you must first file a charge with the U.S. Equal Employment Opportunity Commission (EEOC) and receive a Notice of Right to Sue.

Did you file a charge of discrimination against the defendant(s) with the EEOC or any other government agency?

☒ Yes (Please attach a copy of the charge to this complaint.)

When did you file your charge? 5/06/21

☐ No

Have you received a Notice of Right to Sue from the EEOC?

☒ Yes (Please attach a copy of the Notice of Right to Sue.)

What is the date on the Notice? March 8, 2022

When did you receive the Notice? April 20, 2022

☐ No

**VI. RELIEF**

The relief I want the court to order is (check only those that apply):

☒ direct the defendant to hire me

☒ direct the defendant to re-employ me

☐ direct the defendant to promote me

*Tykt* ☒ direct the defendant to reasonably accommodate my religion *Not one of the answers*

☒ direct the defendant to reasonably accommodate my disability

☒ direct the defendant to (specify) (if you believe you are entitled to money damages, explain that here)

20,000 For the Damage of my mental anguish  
gotten worsen Lost my place of residence  
and my health is getting worse than ever  
and 7,500 For withholding me from work due  
to the fact that I had my SIDI badge Oct 22, 2021  
and took my Drug test 10/01/2021 and I  
had to get the union to get me in work as  
early as Jan 14, 2022. **Total of \$27,500 for Compensation**

**VII. PLAINTIFF'S CERTIFICATION**

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

July 19, 2022  
Dated

Tanya y Hogan  
Plaintiff's Signature

Tanya V Hogan  
First Name Middle Initial Last Name

Post Office Box 7604  
Street Address

Freeport 1 NY 11520  
County, City State Zip Code

516 324-9677  
Telephone Number

English132@gmail.com  
Email Address (if available)

my mother cell phone # 7

I have read the attached Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☒ Yes ☐ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.

### CONSENT TO ELECTRONIC SERVICE

I hereby consent to receive electronic service of notices and documents in my case(s) listed below. I affirm that:

1. I have regular access to my e-mail account and to the internet and will check regularly for Notices of Electronic Filing;
2. I have established a PACER account;
3. I understand that electronic service is service under Rule 5 of the Federal Rules of Civil Procedure and Rule 5.2 of the Local Civil Rules, and that I will no longer receive paper copies of case filings, including motions, decisions, orders, and other documents;
4. I will promptly notify the Court if there is any change in my personal data, such as name, address, or e-mail address, or if I wish to cancel this consent to electronic service;
5. I understand that I must regularly review the docket sheet of my case so that I do not miss a filing; and
6. I understand that this consent applies only to the cases listed below and that if I file additional cases in which I would like to receive electronic service of notices of documents, I must file consent forms for those cases.

**Civil case(s) filed in the Southern District of New York:**

**Note:** This consent will apply to all cases that you have filed in this court, so please list all of your pending and terminated cases. For each case, include the case name and docket number (for example, John Doe v. New City, 10-CV-01234).

\_\_\_\_\_  
\_\_\_\_\_  
Hogan Tanya Y  
Name (Last, First, MI)  
PO Box 7604 Freeport NY 11520  
Address City State Zip Code  
516 324-9677  
Telephone Number  
English+32@gmail.com  
E-mail Address  
July 19, 2022  
Date  
Tanya Y Hogan  
Signature

**Return completed form to:**

Pro Se Intake Unit (Room 200)  
500 Pearl Street  
New York, NY 10007



EEOC Form 5 (11/09)

<b>CHARGE OF DISCRIMINATION</b>  This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: Agency(ies) Charge No(s):  <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC <b>520-2021-02976</b>	
<b>NEW YORK STATE DIVISION OF HUMAN RIGHTS</b> and EEOC <i>State or local Agency, if any</i>			
Name (indicate Mr., Ms., Mrs.) <b>MS. TANYA Y HOGAN</b>		Home Phone <b>(516) 592-1495</b>	Year of Birth
Street Address City, State and ZIP Code <b>POST OFFICE BOX 7604, USA, FREEPORT, NY 11520</b>			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name <b>DNATA USA</b>		No. Employees, Members <b>15 - 100</b>	Phone No. <b>(718) 244-1239</b>
Street Address City, State and ZIP Code <b>BUILDING 66 JFK AIRPORT, JAMAICA, NY 11430</b>			
Name		No. Employees, Members	Phone No.
Street Address City, State and ZIP Code			
DISCRIMINATION BASED ON (Check appropriate box(es).)  <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input checked="" type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify)		DATE(S) DISCRIMINATION TOOK PLACE Earliest                      Latest <b>01-14-2021    07-16-2021</b>  <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): <b>I am disabled and because of that I have been discriminated against.</b>  <b>I began working for Respondent for the first time beginning on February 28, 2019, as a Ramp Agent. I injured my neck and shoulder and went out on STD in April/2019 but came back on July 5, 2019. I reigned the job in October 28, 2019. I was hired under the name of Tanya English the first time, but when I was rehired in October/2020 my last name had changed to Hogan.</b>  <b>Specifically, I requested accommodations for taking tests while employed and have been denied but had to take the tests anyway. My accommodation requests were for a reader, extra time in taking the test, and an alternative testing place.</b>  <b>Due to the pandemic I was unable to attend my regular doctor appointments and was behind in my treatment. This caused me to miss some days from work in order to attend my</b>			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - When necessary for State and Local Agency Requirements	
I declare under penalty of perjury that the above is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT	
<b>Digitally signed by Tanya Y Hogan on 08-06-2021 01:59 PM EDT</b>		SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	

EEOC Form 5 (11/09)

<p align="center"><b>CHARGE OF DISCRIMINATION</b></p> <p>This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</p>	<p>Charge Presented To: Agency(ies) Charge No(s):</p> <p><input type="checkbox"/> FEPA</p> <p><input checked="" type="checkbox"/> EEOC <b>520-2021-02976</b></p>
<p align="center"><b>NEW YORK STATE DIVISION OF HUMAN RIGHTS</b> and EEOC</p> <p align="center"><i>State or local Agency, if any</i></p>	
<p><b>appointments. Every time I was out it was a problem. I always provided Respondent with documentation from my doctors. I occasionally have a flare ups because of chronic asthma but call three (3) hours before my work schedule. I am being hassled by Keisha Mahabir, from HR, by manipulating me and wanting me to be removed from the job. I have complained to the union but to no avail.</b></p> <p><b>I have been calling Human Resources time and time about getting some uniforms for the winter of two (2) sweatshirts, two (2) fleece pull overs, a Dnata winter coat, and a winter hat like when I first got hired on Feb 28, 2019. I was told Respondent only supplied work boots and black or dark blue cargo pants. I never received anything and was told to ask Annmarie whom doesn't really take things seriously.</b></p> <p><b>I had an incident with Safiya Fletcher (Warehouse Leader), in February/2021, where she told me to get the fuck out of the warehouse. I went to the warehouse to warm up and to see if I could assist. I was so upset with how I was treated that I had to leave for the day. I felt very disrespected and felt Fletcher should not have treated me that way. I made a complaint about the matter to Miriam Rivera in Headquarters the next day.</b></p> <p><b>I had an incident June 25, 2021, with Annmarie when she wanted me suspended and made me sign a paper that I wasn't aware of signing and was forced to write that I agreed that the incident happened, however, I don't believe I was harassing's her by text message.</b></p> <p><b>On July 16, 2021, I again had to go out of work because I re-injured my neck, shoulder and back. Respondent doesnt want to provide me with an accommodation of being transferred somewhere else. I will continue to get hurt for doing heavy duty work since my first injury. I have provided doctor notes requesting the same, but my requests are denied.</b></p> <p><b>Based on the above, I believe my rights have been violated under the Americans with Disabilities Act (ADA), as amended.</b></p>	

<p>I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.</p>	<p>NOTARY - <i>When necessary for State and Local Agency Requirements</i></p>
<p>I declare under penalty of perjury that the above is true and correct.</p>	<p>I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.</p> <p>SIGNATURE OF COMPLAINANT</p>
<p align="center"><b>Digitally signed by Tanya Y Hogan on 08-06-2021 01:59 PM EDT</b></p>	<p>SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)</p>



## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

New York District Office  
33 Whitehall St, 5th Floor  
New York, NY 10004  
(929) 506-5270  
Website: [www.eeoc.gov](http://www.eeoc.gov)

### **DETERMINATION AND NOTICE OF RIGHTS**

(This Notice replaces EEOC FORMS 161 & 161-A)

Issued On: 04/20/2022

To: Ms. Tanya Y. Hogan  
Post Office Box 7604 USA  
Freeport, NY 11520

Charge No: 520-2021-02976

EEOC Representative and email: Debra Richards  
Federal Investigator  
[debra.richards@eeoc.gov](mailto:debra.richards@eeoc.gov)

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### **DETERMINATION OF CHARGE**

The EEOC issues the following determination: The EEOC will not proceed further with its investigation and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.

### **NOTICE OF YOUR RIGHT TO SUE**

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice.** Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

If you file a lawsuit based on this charge, please sign-in to the EEOC Public Portal and upload the court complaint to charge 520-2021-02976.

On behalf of the Commission,

Digitally Signed By: Judy Keenan  
04/20/2022

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Judy Keenan  
District Director

**Cc:**

Laura Morgan  
Dnata USA  
laura.morgan@dnata.us

John J Porta  
Jackson Lewis P.C.  
john.porta@jacksonlewis.com

Please retain this notice for your records.



This letter is to advise that Tanya Hogan is currently employed with dnata as of 01/14/2021. She holds a position as a Ups Agent and will be working closed to 15 hours a week with a pay rate of \$16.20

Should you require any further information, please feel free to contact dnata's admin office at 718-244-1351.

Thank You,

*Cecilia Salcedo Cruz*

Issuing Officer  
Cecilia Salcedo Cruz

**LANDLORD'S NOTICE NOT TO RE-NEW TENANCY**

To: TANYA HOGAN,  
"John Does" and "Jane Does", Tenant(s)  
125 South Bayview Avenue, Apt. 3E  
Freeport, NY 11520

Names of "John Does" and "Jane Does"  
being fictitious persons, intended to be  
any other occupants in the premises known as  
125 South Bayview Avenue, Apt. 3E, Freeport, NY 11520 (the "Subject Premises")

Re: Lease Agreement made on or about November 15, 2019, between the Landlord,  
125 SOUTH BAYVIEW AVE., LLC and Tenant, TANYA HOGAN,  
regarding the Subject Premises, a residential property

PLEASE TAKE NOTICE, that the undersigned Landlord elects not to re-new your tenancy of the Subject Premises, which is presently being held by you pursuant to a written Lease made on or about November 15, 2019, which expires on November 30, 2021.

PLEASE TAKE FURTHER NOTICE that Tenant has been in possession of the premises since November 19, 2019.

PLEASE TAKE FURTHER NOTICE, that you and all other persons occupying the Subject Premises must vacate and surrender the Subject Premises on or before December 15, 2021, a date not less than ninety (90) days from the date herein Notice of Decision Not To Re-New the Tenancy was served upon you.

PLEASE TAKE FURTHER NOTICE, that the failure to quit and vacate the Subject Premises by the above date will result in the Landlord commencing a summary proceeding to have you evicted from the Subject Premises for holding over past the termination of your tenancy and for possession, a money judgment for all monetary relief, including unpaid rent and use and occupancy, together with all reasonable relief the Owner/Landlord is entitled.

Dated: September 1, 2021

125 SOUTH BAYVIEW AVE., LLC, Landlord  
By: Eagle Rock Management, LLC, Managing Agent

By: *Adam F. Seelig*  
Adam F. Seelig, Manager

CLARK & AMADIO, P.C.  
Attorneys for Landlord  
230 Hilton Avenue, Suite 201  
Hempstead, NY 11550  
(516) 207-6516